

**COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND  
LIABILITY ACT (CERCLA)**

R6-14-14C. Administrative Actions through Consent Orders

1. **AUTHORITY.** After giving notice to the affected state, to take administrative action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104, 106, and 122, including, but not limited to, issuing such orders on consent as may be necessary to protect public health and welfare and the environment.
2. **TO WHOM DELEGATED.** The Director of the Superfund Division.
3. **LIMITATIONS.**
  - a. This authority does not include recovery of response costs under CERCLA section 122(h) or settlements with de minimis parties under CERCLA Section 122(g).
  - b. The Director of the Superfund Division should exercise this authority consistent with the most recent version of the “OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart,” or successor documents, as appropriate.
  - c. The Director of the Superfund Division must obtain the advance concurrence of the Regional Counsel, or the Regional Counsel’s designee, on the legal sufficiency of the action before exercising this authority. The Regional Counsel may waive concurrence in writing.
4. **REDELEGATION AUTHORITY.**
  - a. This authority may not be redelegated.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
  - a. Applicable U.S. Environmental Protection Agency guidance and directives.

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LIABILITY ACT (CERCLA)**

R6-14-14C. Administrative Actions through Consent Orders (Cont'd)

- b. Authority to enter into or exercise EPA concurrence authority for non-judicial cost recovery agreements or administrative orders under CERCLA Section 122(h) is delegated in Agency Delegation 14-14D, "Cost Recovery Non-Judicial Agreements and Administrative Consent Orders."
- c. Authority to enter into or exercise agency concurrence authority in de minimis settlements under CERCLA Section 122(g) is delegated in Agency Delegation 14-14E, "De Minimis Settlements."

**6. SUPERSESSION.** This Regional Order supersedes Regional Order R6-14-14-C dated June 8, 2001.



THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

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JAN 19 2017

**MEMORANDUM**

**SUBJECT:** Delegations of Authority

**FROM:** Gina McCarthy

**TO:** Matthew Fritz, Chief of Staff

On Wednesday, January 18, 2017, I signed a number of revisions to EPA Delegations of Authority. In anticipation of my signature on the revised delegations, and to make certain that there were no lapses in authority, many Regional Administrators and Assistant Administrators signed revised re-delegations consistent with my revisions on January 17, 2017. I hereby accept and ratify any such re-delegations as appropriate re-delegations of authority until otherwise revised or revoked. To the extent that any actions taken under the delegated or re-delegated authority described herein may require ratification, such action is hereby approved and ratified.